GOVERNMENT OF ANDHARA PRADESH
ABSTRACT

Public Services - Prohibition & Excise Department- Smt. Boyapati Sreelatha, Prohibition & Excise Superintendent - Appointed as Assistant Commissioner Prohibition & Excise on in-charge basis in relaxation of Rule 10 (h) of APS&SS Rules, 1996 – Orders Issued.

REVENUE (EXCISE.I) DEPARTMENT

G.O.RT.No. 289 **Dated: 18-03-2016**

Read the following:

1. G.O.Ms.No.424,G.A. (Ser.C) Department, Dt.25-5-1976.
2. G.O.Ms.No.66, G.A. (Ser.C) Department, Dt.30-1-1991.
3. G.O.Ms.No.257, G.A.(Ser.C) Department., Dt.10-6-99.
4. G.O.Rt.No.5, Rev (EX-I) Department, dated.03.01.2014.
5. G.O.Rt.No.305, Rev (Vig.V) Department, dated.01.03.2014.
6. G.O.Rt.No.761, Rev (EX-I) Department, dated.26.08.2014.
7. From Smt. Boyapati Sreelatha, Depot Manager, Kurnool, representation, dt.Nil.
8. From the Commissioner of Prohibition and Excise, A.P., Hyderabad Lr.Cr.No.1778/2015/CPE/A1, dt.22.07.2015.

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ORDER:

In the reference 7th read above, Smt B. Sreelatha, Prohibition & Excise Superintendent represented that, while working as Prohibition & Excise Superintendent, Vijayawada she was trapped by ACB authorities on 23.9.2013 and placed under suspension w.e.f.24.9.2013. Subsequently, she was reinstated into service on 01.03.2014 vide reference 5th read above. Consequent on her reinstatement, she was posted as Depot Manager, IML Depot, Kurnool, Kurnool District vide 6th read above. She has requested to appoint her as Assistant Commissioner of Prohibition & Excise on in-charge basis without reference to the pendency of ACB cases implicated against her, since her batch mates and some other Excise Superintendents who are juniors to her were considered for appointment as Assistant Commissioner on in-charge basis and given postings even though they are also facing charges in Liquor Syndicate/ACB cases.

2. In the letter 8th read above, the Commissioner of Prohibition and Excise, A.P., Hyderabad has stated that a case was registered by Anti-Corruption Bureau in Cr.No.38/RCT-ACB-VJA/2012 u/s 7 of Prevention of Corruption Act 1988 and the case is still under investigation by ACB and no charges have been framed against her so far. In this regard, Smt. B. Sreelatha filed an O.A.No.6698/2014 in the APAT requesting for promotion as Assistant Commissioner of Prohibition & Excise on regular/ in-charge/ad-hoc basis. The Hon'ble APAT in its interim orders dated.29.12.2014 directed to consider the case of the applicant for promotion to the post of Assistant Commissioner of Prohibition & Excise on regular or in-charge or ad-hoc basis, without reference to the pendency of Cr.No.38/RCT-ACB-VJA/2013, pending further orders in the O.A.No.6698 of 2014. The Hon'ble APAT in its interim orders in O.A.No.4542 of 2013, Dt.18.06.2013 has directed to consider her case for promotion without reference to the charges issued by the Government in liquor syndicate cases subject to her eligibility, seniority and pass appropriate orders.

3. The Commissioner of Prohibition & Excise, A.P., Hyderabad has stated

(P.T.O)

that the Government vide G.O.Ms.No.66, G.A. (Ser.C) Dept., Dt.30.1.1991 directed that the promotions to the higher post in respect of officers, who are facing disciplinary proceedings or a criminal case shall be deferred only when charges of misconduct are framed by the competent authority and served on the concerned delinquent officer or a charge-sheet has been filed against him in a criminal court, as the case may be. Certain Prohibition & Excise Superintendents were appointed as Assistant Commissioners on in-charge basis in relaxation of Rules 10(h) of APS&SS rules, 1996 vide 4th read above.

4. Smt. B. Sreelatha, Prohibition & Excise Superintendent has completed three years of service in the cadre of Prohibition & Excise Superintendent since she is working as Prohibition & Excise Superintendent from 04.03.2010. Though she was in the seniority, her name was not considered for appointment to the post of Assistant Commissioner on in-charge basis along with her batch mates as she was under suspension then and on her reinstatement, she has requested to consider her appointment to the post of Assistant Commissioner of Prohibition & Excise on in charge basis on par with her batch mates.

5. In view of the above, Government after careful consideration of the matter and in terms of the orders contained in the G.Os 1st to 3rd read above, hereby appoint Smt. Boyapati Sreelatha, Prohibition & Excise Superintendent, as Assistant Commissioner of Prohibition and Excise on in-charge basis on her own scale of pay in relaxation of Rule 10(h) of Andhra Pradesh State and Subordinate Service Rules, 1996.

6. The above arrangement is only an ad-hoc arrangement and not a promotion to the post of Assistant Commissioner Prohibition & Excise. The officer is informed that her postings as in-charge Assistant Commissioner Prohibition & Excise do not confer on her any right or claim for the post of Assistant Commissioner Prohibition & Excise or to any claim for the seniority or promotion in future. Similarly, these ad-hoc in-charge arrangements are subject to the outcome of cases in this matter before various Courts.

7. The Commissioner of Prohibition and Excise, A.P., Hyderabad is requested to take further necessary action accordingly in the matter and furnish necessary proposals for her posting.

8. This order does not require the concurrence of Finance Department as per rules in force.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Prohibition and Excise, Andhra Pradesh, Hyderabad.
Copy to the Officer concerned through the Commissioner of Prohibition and Excise, A.P., Hyderabad.

//FORWARDED::BY ORDER //

SECTION OFFICER.